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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,233	07/31/2003	Lorenzo A. Ponce De Leon	CS22875JI023	1743
24273	7590	09/02/2005	EXAMINER	
MOTOROLA, INC INTELLECTUAL PROPERTY SECTION LAW DEPT 8000 WEST SUNRISE BLVD FT LAUDERDAL, FL 33322			PHAN, THO GIA	
			ART UNIT	PAPER NUMBER
			2821	
DATE MAILED: 09/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,233

Applicant(s)

PONCÉ DE LEON ET AL.

Examiner

Tho G. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15, 16 and 18 is/are rejected.
- 7) ☒ Claim(s) 6, 14 and 19-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

REMARKS

In view of the "Appeal Brief" filed on 06/23/05, PROSECUTION IS HEREBY REOPENED.

Allowable Subject Matter

1. The indicated allowability of claims 2-3, 11 and 16 are withdrawn in view of the newly discovered reference(s) to Ohara et al (6,930,641). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-13, 15-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Egorov et al (6,326,921) [of record] in view of Ohara et al (6,930,641) [newly cited].

Egorov et al in figures 4-6 disclose an antenna comprising a parasitic element 450 positioned to be operatively coupled to the PIFA 410, wherein RF energy is radiantly coupled between the parasitic element and the PIFA, wherein the parasitic

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element conforms to a surface (air) that is separated from the PIFA, at least two conductors 410,450 arranged so as to radiantly couple RF energy between the parasitic element and the PIFA antenna and at least one of a receiver (see claim 1 of Egorov et al) for wirelessly receiving transmitted signals and a transmitter for wirelessly transmitting signals.

Since all the claimed structures are shown by Egorov et al, the parasitic element is configured and positioned so as to further induce wireless operation of the PIFA within at least one additional frequency band would result.

Egorov et al have been discussed above but fail to expressly teach the parasitic element is ohmically isolated from ground, the parasitic element comprises three ohmically connected arms that join at substantially right angles and radiantly couples to at least three arms of the pifa, and the arms of the parasitic element that are arranged in a shape that generally conforms to the shape of the pifa, wherein the parasitic element conforms to a surface that is above the pifa. However, Ohara et al in figures 10-13 and 25-27 disclose the parasitic element 38,41,44-49 is ohmically isolated from ground 15, the parasitic element 41 comprising at least three ohmically connected arms that join at substantially right angles and radiantly couples to at least three arms of the inverted-F antenna 11 (figure 11), and the arms of the parasitic element 38 that are arranged in a shape that generally conforms to the shape of the inverted-F antenna 11 (figure 10), wherein the parasitic element conforms to a surface that is adjacent to the inverted-F antenna. It would have been obvious to provide Egorov et al with the parasitic element being ohmically isolated from ground, the parasitic element comprises three ohmically

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connected arms that join at substantially right angles and radiantly couples to at least three arms of the pifa, and the arms of the parasitic element that are arranged in a shape that generally conforms to the shape of the pifa, and wherein the parasitic element conforms to a surface that is above the pifa for the purpose of improving the impedance characteristic of the parasitic antenna element (column 7, lines 34 to column 8, lines 30).

Allowable Subject Matter

3. Claims 6, 14 and 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: The claims are allowable over the art of record because the prior art does not teach the surface is between the PIFA and the parasitic element, the surface comprises at least a portion of a case of a wireless communications device (claim 6, 14); the parasitic element is located above a second side of the PIFA that is opposite the first side (claim 20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho G. Phan whose telephone number is 571-272-1826. The examiner can normally be reached on (M-R), Monday-Thursday (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho G. Phan
Primary Examiner
Art Unit 2821